

Perine to be worth twenty thousand dollars. It also appears, from the evidence of Mr. Perine, that soon after the 20th of July, 1833, he prepared a statement of the affairs of Beale Randall, for the purpose of ascertaining what his situation was, and whether his friends would be safe in assisting him to go on. This statement, the witness said, was derived from information given him by said Beale Randall; but the estimates of the value of the property met with the sanction of the witness. According to this statement, which contained the property subsequently conveyed by Randall to his brother and sisters, he would have had a large surplus left after paying all his liabilities of every description. Now, at the date of the mortgage or assignment to the complainant by Randall, but one of the deeds drawn in question in this case had been executed, that of the 22d of April, 1834, and there is no ground for supposing, that if the security given to the complainant had not been considered adequate, that Randall would have refused to convey to him some portion of this property. Mr. Gatchell states, that he, acting for the complainant, made advances to Randall in the summer of 1833, and that these advances were made upon the faith of the statement prepared by Mr. Perine. This, it will be recollected, was some considerable time before the deed to the complainant was executed, and before the deeds now impeached were given, and does not at all prove that the security given the complainant was not regarded sufficient for his indemnity; the statement made by Perine appears to have been prepared for the purpose of ascertaining the ability of Beale Randall to meet the various engagements, and not with a view to give the complainant a specific lien on the property embraced in it; if it is otherwise, it is presumable the lien would have been demanded and given before the advances were made, and there is nothing in the case to show that any fraud or imposition was practiced by Randall upon the occasion. In other words, there is nothing to show that the value of his means to pay his debts was exaggerated, or their amount diminished; on the contrary, it may be fairly inferred that it was his impression, as well as the impression of the intelligent gentleman by whom the statement was made,